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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/918,722	08/01/2001	Charlton E. Lui	003797.00135	2450
28319	7590	05/12/2005	EXAMINER	
BANNER & WITCOFF LTD., ATTORNEYS FOR MICROSOFT 1001 G STREET, N.W. ELEVENTH STREET WASHINGTON, DC 20001-4597			NGUYEN, CHAU T	
			ART UNIT	PAPER NUMBER
			2176	
DATE MAILED: 05/12/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/918,722

Applicant(s)

LUI ET AL.

Examiner

Chau Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE ____ MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 02 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-28 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 February 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>02/02/2005</u> . | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

1. Amendment, received on 02/02/2005, has been entered. Claims 1-28 are presented for examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1, 6-8, 12, 16-19 and 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Shimomura, Patent No. 5,091,964.
4. As to claims 1, 12 and 23, Shimomura discloses a method for editing an electronic document containing drawings, comprising the steps of:

dividing said document into a plurality of regions, each region having a reference axis, and wherein positions of said drawings are identified with respect to said axes (Abstract, col. 1, line 51 – col. 2, line 45);

receiving a request to modify a line size of said document (Shimomura discloses reduction means for reducing or scaling down each of the plurality of image regions divided by dividing means (col. 2, lines 12-31), thus, receiving a request to modify is an inherent feature of computer processing); and

rescaling said drawings in accordance with said modification in line size and said axes (col. 2, lines 5-31 and col. 5, line 45 – col. 6, line 23).

5. As to claim 6, Shimomura discloses wherein said step of rescaling said drawings further comprises the step of rescaling offset distances between reference points of said drawings and said axes (col. 4, line 43 – col. 6, line 23).

6. As to claim 7, Shimomura discloses wherein said plurality of regions includes a left margin region, a body region, and a right margin region (col. 4, line 43 – col. 6, line 23).

7. As to claim 8, Shimomura discloses wherein said reference axes are horizontally-located in the center of said regions (col. 4, line 43 – col. 6, line 23).

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8. As to claims 16 and 19, Shimomura discloses a method for editing an electronic document containing drawings, comprising the steps of:

dividing said electronic document into a plurality of adjacent regions (Abstract, col. 1, line 51 – col. 2, line 45);

assigning a reference axis for each of said regions (Abstract, col. 1, line 51 – col. 2, line 45);

identifying one or more drawings in said document, and assigning each of said drawings to one of said regions (col. 7, lines 3-51);

for each of said drawings, determining a distance to one of said reference axes (col. 8, lines 21-30); and

responsive to a change in a line size of said document, rescaling each of said drawings in accordance with a proportion of said change in said line size, and said distance to said one of said reference axes (col. 5, line 66 – col. 6, line 23).

9. Claims 13, 15 and 28 are rejected under 35 U.S.C. 102(e) as being anticipated by Okawa et al. (Okawa), Patent No. 6,397,233.

10. As to claims 13, and 15, Okawa discloses a method for editing an electronic document containing text and drawings, comprising the steps of:

receiving a request to modify a line height of said text (Abstract, and col. 6, lines 28-63 and col. 8, lines 22-41 and Figs. 5A and 5B);

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rescaling said text in proportion to said modified line height (Abstract, and col. 6, lines 28-63 and col. 8, lines 22-41 and Figs. 5A and 5B); and

rescaling said drawing responsive to said request to modify said line height (Abstract, and col. 6, lines 28-63 and col. 8, lines 22-41 and Figs. 5A and 5B).

11. As to claim 28, Okawa discloses wherein the request to modify the line height is a request to increase the line height ((Abstract, and col. 6, lines 28-63 and col. 8, lines 22-48 and Figs. 5A-5B and 6A-6B).

Claim Rejections - 35 USC § 103

12. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

13. Claims 2-3, 9-11, 24, and 26 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shimomura as applied to claims 1, 6-8, 12, 16-19 and 23 above, and further in view of Fukuda et al. (Fukuda), Patent No. 5,867,593.

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14. As to claims 2, 24 and 26, Shimomura discloses reduction means for reducing or scaling down each of the plurality of image regions divided by dividing means (col. 2, lines 12-31) as discussed in claims 1 and 12 above. However, Shimomura does not explicitly disclose the steps of:

determining if said rescaled drawings overlap with one another;

if said rescaled drawings are determined to overlap, repositioning one or more of said drawings such that said overlap no longer exists.

Fukuda discloses overlapping region detection 133 detects an overlapping region on the basis of the positional relationship of the coordinates, and if there is an overlapping region detected, then re-dividing processing 134 re-divides the regions into regions having no overlapping region (col. 20, line 36 – col. 21, line 36). Since Fukuda disclose image region dividing apparatus which is similar to dividing document image into a plurality of image regions of Shimomura, thus it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Fukuda and Shimomura to include determining if said rescaled drawings overlap with one another and if said rescaled drawings are determined to overlap, repositioning one or more of said drawings such that said overlap no longer exists. By repositioning or re-dividing the regions so overlapping problem would not exit, and that would enhance the image region dividing system.

15. As to claim 3, Shimomura and Fukuda disclose the steps of:

determining if a size of said repositioned drawings exceeds a predetermined limit (Fukuda, col. 3, line 65 – col. 4, line13); and

if said size is determined to exceed said limit, rescaling the repositioned drawings such that said size no longer exceeds said limit (Fukuda, col. 3, line 65 – col. 4, line13).

16. As to claim 9, Shimomura and Fukuda disclose wherein said drawings each include an anchor point (Fukuda, Fig. 19).

17. As to claim 10, Shimomura and Fukuda disclose wherein said anchor point is a center of said drawing (Fukuda, Fig. 19).

18. As to claim 11, Shimomura and Fukuda disclose wherein said anchor point is a corner of said drawing (Fukuda, Fig. 19).

19. Claims 4-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shimomura as applied to claims 1, 6-8, 12, 16-19 and 23 above, Fukuda et al. (Fukuda), Patent No. 5,867,593 as applied to claims 2-3, 9-11, 24 and 26 above, and further in view of Mott et al. (Mott), Patent No. 6,326,970.

20. As to claims 4 and 5, Shimomura and Fukuda discloses the limitations as discussed in claims 2 and 3 above. However, Shimomura and Fukuda do not explicitly disclose wherein said predetermined limit is a page width and/or a distance between a

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right margin and a left margin of said document. Mott discloses a web page is reduced to fit within a specified threshold such as the horizontal margins (left margin and right margin) of the display (Abstract and col. 2, line 59 – col. 3, line 37). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Mott and Shimomura-Fukuda to include predetermined limit is a page width and/or a distance between a right margin and a left margin of said document. Mott's system retains the original look and feel of the web page while allowing the web page to fit within a selected horizontal width without the use of horizontal scroll bars.

21. Claims 17-18 and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shimomura as applied to claims 1, 6-8, 12, 16-19 and 23 above, and further in view of Mott et al. (Mott), Patent No. 6,326,970.

22. As to claim 17 and 25, Shimomura, however, does not explicitly disclose the steps of:

responsive to said change in said line size of said document, repositioning one or more of said drawings, such that a portion of said drawing is displayed on a first page of said document, and a portion of said drawing is displayed on a second page of said document. Mott discloses a web page has embed element that includes image data is reduced in size to fit within a specified threshold such as the horizontal margins of a screen, and any vertical portion of the web page overlapping the vertical margin is access through a vertical scroll bar or similar technique (one page and then next page)

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(Abstract, col. 2, l59 – col. 3, line 37). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Mott and Shimomura to include changing a size of a document by repositioning or rescaling the document (including embedded image), and if the first page does not hold the whole rescaled document, then the second page will display the rest. Mott's system retains the original look and feel of the web page while allowing the web page to fit within a selected horizontal width without the use of horizontal scroll bars.

23. As to claim 18, Shimomura and Mott disclose the step of displaying one or more indicators on said first page indicating the existence of said portion of one or more of said drawings displayed on said second page (Mott, Abstract, col. 2, l59 – col. 3, line 37).

24. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Okawa et al. (Okawa), Patent No. 6,397,233, and further in view of Fukuda et al. (Fukuda), Patent No. 5,867,593.

25. As to claim 14, Okawa discloses the limitations as discussed in claim 13 and 15. However, However Okawa does not explicitly disclose the steps of:

determining if said rescaled drawings overlap with one another;

if said rescaled drawings are determined to overlap, repositioning one or more of said drawings such that said overlap no longer exists.

Fukuda discloses overlapping region detection 133 detects an overlapping region on the basis of the positional relationship of the coordinates, and if there is an overlapping region detected, then re-dividing processing 134 re-divides the regions into regions having no overlapping region (col. 20, line 36 – col. 21, line 36). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Fukuda and Okawa to include determining if said rescaled drawings overlap with one another and if said rescaled drawings are determined to overlap, repositioning one or more of said drawings such that said overlap no longer exists. By repositioning or re-dividing the regions so overlapping problem would not exit, and that would enhance the image region dividing system.

26. Claims 20-22 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shimomura as applied to claims 1, 6-8, 12, 16-19 and 23 above, and further in view of Colleran et al. (Colleran), Patent No. 6,075,532.

27. As to claims 20, 22 and 27, Shimomura discloses a method for editing an electronic document containing drawings, comprising the steps of:

dividing said document into a plurality of adjacent regions, each region having a reference axis (Abstract, col. 1, line 51 – col. 2, line 45);

However, Shimomura does not explicitly disclose determining a bounding box for a new drawing to be added to said document; identifying an anchor point for said new drawing; and storing an offset value representing a distance between said new drawing

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and one of said reference axes. Colleran discloses a boundary box is specified before a character in a frame of an animated sequence (new drawing) is displayed in a rectangle 304 (document), and the rectangle 304 is divided into two regions 301 and 302, and storing bitmap portion of the image and determining the area within the boundary box (Fig. 4 and col. 8, lines 46 – col. 9, line 52). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Colleran and Shimomura to include determining a bounding box for a new drawing to be added to said document; identifying an anchor point for said new drawing; and storing an offset value representing a distance between said new drawing and one of said reference axes. Colleran's system improves the efficiency of redrawing of animated characters on a desktop in a windows-based operating system.

28. As to claim 21, Shimomura and Colleran disclose wherein said bounding box encompasses an existing drawing and a newly-added drawing (Colleran, col. 7, lines 17-41).

Response to Arguments

In the remarks, applicant(s) argued in substance that

A) "receiving a request to modify" is not an inherent feature of the Shimomura system.

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As to point A, Shimomura discloses reduction means for reducing or scaling down each of the plurality of image regions divided by dividing means (col. 2, lines 12-31). A computer cannot do things itself without any initiated steps such as instructions or requests, and therefore, receiving a request to modify is an inherent feature of computer processing, which reduces and scales down image regions.

B) Shimomura does not rescale drawing in accordance with the modification in line size and the axes as recited in claim 1.

As to point B, Shimomura discloses a document image can be classified into image regions, each containing a specific type of images such as text, drawing and picture, even if the document image has a complex layout form, and reduction means for reducing or scaling down each of the plurality of primary image regions divided by said dividing means (col. 2, lines 5-31). Shimomura also discloses a document is divided into blocks by dividing lines such as horizontal and vertical dividing lines, and with respect to each block obtained as described, the sizes of the blocks are reduced so that a circumscribed rectangular frame containing characters (drawings) in the block is reduced (col. 5, line 45 – col. 6, line 23).

C) Shimomura lacks a teaching or suggestion of “responsive to a change in a line size of said document, rescaling each of said drawings in accordance with a proportion of said change in said line size, and said distance to said one of said reference axes”.

As to point C, Shimomura discloses a document image can be classified into image regions, each containing a specific type of images such as text, drawing and picture, even if the document image has a complex layout form, and reduction means for reducing or scaling down each of the plurality of primary image regions divided by said dividing means (col. 2, lines 5-31). Shimomura also discloses a document is divided into blocks by dividing lines such as horizontal and vertical dividing lines, and with respect to each block obtained as described, the sizes of the blocks are reduced so that a circumscribed rectangular frame containing characters (drawings) in the block is reduced (col. 5, line 45 – col. 6, line 23).

D) One skilled in the art would not have been motivated to combine Shimomura and Colleran to obtain the claim 20 invention.

As to point D, in response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Shimomura disclose dividing said document into a plurality of adjacent regions, each

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region having a reference axis (Abstract, col. 1, line 51 – col. 2, line 45). However, Shimomura does not explicitly disclose determining a bounding box for a new drawing to be added to said document; identifying an anchor point for said new drawing; and storing an offset value representing a distance between said new drawing and one of said reference axes. Colleran discloses a boundary box is specified before a character in a frame of an animated sequence (new drawing) is displayed in a rectangle 304 (document), and the rectangle 304 is divided into two regions 301 and 302, and storing bitmap portion of the image and determining the area within the boundary box (Fig. 4 and col. 8, lines 46 – col. 9, line 52). It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Colleran and Shimomura to include determining a bounding box for a new drawing to be added to said document; identifying an anchor point for said new drawing; and storing an offset value representing a distance between said new drawing and one of said reference axes. Colleran's system improves the efficiency of redrawing of animated characters on a desktop in a windows-based operating system

E) Okawa does not teach or suggest receiving a request to modify a line height of the text as called for in claim 13.

As to point E, Okawa teaches in Abstract, col. 6, lines 28-63 and col. 8, lines 22-41 and Figs. 5A and 5B: changing a document region by detecting whether or not a document region change request which requests change of a document region has been issued,

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and the adjusting means adjusts data interval or a data size of document element (character, symbol, space, words, sentence, graphic and the like) in the document region which is subject to change. Also Figs. 5A and 5B show modification of the height of the text "Continuous effort is essential to be the leader".

F) Nowhere does Okawa suggest that images or drawings would ever overlap according to the process of adding a document element to a created document. Hence, one skilled in the art would not have any need to account for overlap and as such to combine Okawa with Fukuda in the manner suggested in the action would be improper.

As to point F, in response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Fukuda discloses overlapping region detection 133 detects an overlapping region on the basis of the positional relationship of the coordinates, and if there is an overlapping region detected, then re-dividing processing 134 re-divides the regions into regions having no overlapping region (col. 20, line 36 – col. 21, line 36). Since Fukuda discloses reducing image processing means for dividing image into small regions and

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reducing each of the small regions, which is similar to Okawa's system for changing a document region by adjusting a data size of a document element, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Fukuda and Okawa to include determining if said rescaled drawings overlap with one another and if said rescaled drawings are determined to overlap, repositioning one or more of said drawings such that said overlap no longer exists. By repositioning or re-dividing the regions so overlapping problem would not exit, and that would enhance the image region dividing system.

29. Applicant's arguments filed 02/02/2005 have been fully considered but they are not persuasive. Please see the rejection and response to arguments above.

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chau Nguyen whose telephone number is (571) 272-4092. The examiner can normally be reached on 8:00 am – 5:00 pm Mon-Fri.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph Feild, can be reached on (571) 272-4090. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Chau Nguyen
Patent Examiner
Art Unit 2176


JOSEPH FELD
SUPERVISORY PATENT EXAMINER